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1652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re the Application of:

BERRY et al.

Serial No.: 09/341,600

Filed: September 15, 1999

Atty. File No.: 3161-18-PUS

For: "PROCESS FOR PRODUCTION OF
N-GLUCOSAMINE"

Group Art Unit: 1652

Examiner: Fronda, C.

RESPONSE TO NOTICE TO COMPLY
WITH SEQUENCE REQUIREMENTS

25/B

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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Dear Sir:

This Response is submitted in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed July 29, 2002. A copy of the Notice is attached hereto.

In the Notice, the Examiner states that the paper copy of the Sequence Listing does not match the computer readable form, because the paper copy allegedly shows only one sequence.

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed July 29, 2002, Applicants submitted both a paper copy showing each of SEQ ID NOs:1-4 and a computer readable form of the same. Moreover, the paper copy of the Sequence Listing in the original papers showed SEQ ID NOs:1-4. It is assumed that the U.S. Patent Office has inadvertently misplaced the second page of the most recently submitted paper copy.

Therefore, Applicants are again enclosing substitute paper and computer readable form of the Sequence Listing that were submitted with the original application as filed. Pursuant to 37 CFR § 1.825(a) and (b) and § 1.821(f), Applicants' agent hereby asserts that the content of the paper and

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computer readable copies of SEQ ID NO:1 through SEQ ID NO:4 submitted herewith are identical and include no new matter.

Respectfully submitted,

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Date: August 22, 2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: The paper copy of the "Sequence Listing" does not match the "Sequence Listing" in computer readable form. The computer readable form of the "Sequence Listing" states that there are four sequences (SEQ ID NOs: 1-4). However, the paper copy of the "Sequence Listing" only shows one sequence (SEQ ID NO: 1).

Applicant Must Provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ A substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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